

**Minutes of Land Use, Parks and Environment (LUPE) Committee**  
**Tuesday, May 20, 2014**

Chair Kolb called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

**Committee Present:** Supervisors Walter Kolb, Jim Batzko, Jennifer Grant, Keith Hammitt, Eric Highum, Pauline Jaske, and Tom Schellinger.

**Also Present:** Legislative Policy Advisor Sarah Spaeth, Administrative Specialist Karen Phillips, Land Resources Manager Perry Lindquist, Parks and Land Use Director Dale Shaver, Parks System Manager Dave Burch, and Planning and Zoning Manager Jason Fruth.

**Executive Committee Report of May 19, 2014**

Kolb summarized the items discussed at the May 19, 2014 Executive Committee meeting:

- Peter Wolff was elected secretary of Executive Committee
- Committee duties and responsibilities as contained in the County Code
- Approval of several ordinances and appointments
- Department of Health and Human Services Mental Health Division-third party billing audit scope
- Waukesha County's contract for newspaper legal publications and notices was awarded to *The Freeman*
- Update on information technology projects

**Future Agenda Items**

- Overview of individual divisions within the Department of Parks and Land Use
- Informational presentation on tax incremental financing (TIF) districts (Jaske)

**Future Meeting Date:** June 17, 2014

**Nomination and Election of Vice Chair**

MOTON: Schellinger moved, second by Batzko to elect Pauline Jaske as vice-chair of the LUPE Committee. Motion carried 7-0.

**Nomination and Election of Secretary**

MOTION: Hammitt moved, second by Batzko to elect Jennifer Grant as secretary of the LUPE Committee. Motion carried 7-0.

**Discuss Committee Duties and Responsibilities as Contained in the Code of Ordinances**

Spaeth referred the Committee's duties and responsibilities as written in the County Code and noted this committee has oversight of the Department of Parks and Land Use and the Register of Deeds. It is important to follow the open meetings law and stay on the agenda. All meetings are recorded and these recordings are available to the public. Spaeth asked committee members to contact Karen Phillips in the County Board Office if they will be absent or late. She asked that if anyone has questions to please raise your hand and wait for the chair to call on you.

**Appoint LUPE representative to the Southeast Area Land and Water Conservation Association Board of Directors**

Linguist provided background and history of the the Southeast Area Land and Water Conservation Association and discussed responsibilities and duties entailed for the LUPE appointed representative.

MOTION: Jaske moved, second by Schellinger to appoint Hammitt as the LUPE representative in the Southeast Area Land and Water Conservation Association. Motion carried 7-0.

## **Department of Parks and Land Use Overview**

Shaver narrated a PowerPoint presentation, providing a high level overview of the Department of Parks and Land Use. More detailed presentations will be provided at future meetings by division managers.

Shaver highlighted the trending topics in the following departmental divisions:

- Land Resources
- Land Information
- Environmental Health
- Planning And Zoning
- Business/Budget
- Enterprise Operations
- Parks System

## **Resolution 169-R-001: Resolution To Support Receipt Of Funding Grant From WisDOT Transportation Alternatives Program (TAP) For The Waukesha To Brookfield Connector Bicycle-Pedestrian Facility Project**

Burch discussed this resolution which indicates the County's support in applying for Wisconsin Department of Transportation (WisDOT) funding to cover most of the costs of building a multi-use trail between the Cities of Waukesha and Brookfield (capital project #201407). Department of Parks and Land Use (PLU) management estimate this funding (which WisDOT receives through the Federal Transportation Enhancement grant) at about \$2,344,000 or 80% of the estimated project cost of approximately \$2,980,000. This project was adopted into the 2014-18 Capital Projects Plan, with \$50,000 of preliminary design work included in the adopted 2014 Capital Projects budget. The project budget includes \$2.3 million of outside revenue to fund construction planned for 2016 and 2017.

MOTION: Schellinger moved, second by Hammitt to approve Resolution 169-R-001. Motion carried 7-0.

## **Ordinance 169-O-007: Accept Additional Community Development Block Grant (CDBG) And Home Investment Partnership (HOME) Program Funds For The 2014 Program Year, Modify The 2014 Budget, And Authorize The Execution Of Agreements For The Program**

Shaver was present to discuss this ordinance which modifies the 2014 CDBG program to increase appropriation authority for operating expenditures by \$140,005 to match the HUD approved CDBG grant and HOME program award amounts. The 2014 HUD award for the County's CDBG program is \$1,334,028 which is \$84,122 higher than 2014 adopted budget appropriations of \$1,249,906. In addition, the 2014 HUD award for the County's HOME program is \$1,104,785 which is \$55,883 higher than 2014 adopted budget appropriations of \$1,048,902. The adopted budget is not based on the final HUD grant notification due to timing delays in receiving the Federal budget appropriation grant award notification. The ordinance also authorizes subgrantee agreements necessary to cover allocations to be made by the County Executive, CDBG Board and HOME Consortium Board for the increased funding.

MOTION: Hammitt moved, second by Batzko to approve Ordinance 169-O-007. Motion carried 7-0.

## **Ordinance 169-O-011: Approval Of Intergovernmental Agreement Between The Waukesha County Housing Authority And The City Of Waukesha Housing Authority For The Housing Choice Voucher Program**

Shaver discussed this ordinance which approves an intergovernmental agreement to authorize the Waukesha Housing Authority jurisdictional authority to operate the Section 8 Housing Choice Voucher program within the geographic area of Waukesha County to eliminate program duplication and improve administrative efficiency. Financial savings were discussed as outlined in the fiscal note.

Kolb asked whether this change would make the housing authority more efficient. Shaver stated that it would. To answer Jaske's question, New Berlin is going through a similar process. By July 1 New Berlin will have a signed agreement with the City of Waukesha.

Grant asked if there would be one agency with various offices. Shaver said no, explaining that Waukesha County's Housing Authority is a board; the City of Waukesha's is an actual office with staff. There will not be an office in Waukesha County nor New Berlin. Grant further inquired why New Berlin has a housing authority but not other municipalities. Shaver stated that New Berlin likely determined there was a need for one. Perhaps other municipalities' needs are covered by the County's housing authority or the HOME program.

Grant would like a follow-up report on the voucher program to measure its success. Shaver stated he would obtain the information and provide it to the committee. In regard to Grant's question on lines 58-60 of the ordinance, Shaver explained that Waukesha County reserves the right to consider issuance of refunding revenue bonds to assist in furthering low and moderate income housing in Waukesha County.

MOTION: Jaske moved, second by Hammitt to approve Ordinance 169-O-011. Motion carried 7-0.

### **Planning and Zoning Overview**

Core functions of the Planning and Zoning Division

- Land Use Planning
- Zoning Administration

### **Ordinance 169-O-001: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Eagle And The District Zoning Map Of The Town Of Eagle Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 25, T5N, R17E, Town Of Eagle, Waukesha County, Wisconsin, From The B-2 Local Business District To The B-3 General Business District (SZT-1775)**

Fruth discussed this ordinance which authorizes a conditional rezone of this property in the Town of Eagle from the B-2 to the B -3 General Business District to allow for possible business expansion on the subject property. Planning and zoning staff recommends approval of this request.

MOTION: Schellinger moved, second by Grant to approve Ordinance 169-O-001. Motion carried 7-0.

### **Ordinance 169-O-002: Amend The District Zoning Map Of The Town Of Merton Zoning Code By Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 19, T8N, R18E, Town Of Merton, Waukesha County, Wisconsin, From The R-1 Residential District To The B-2 Local Business District (ZT-1779)**

Fruth discussed this ordinance which authorizes a rezone of properties in the Town of Merton to the B-2 Local Business District to allow both a business and residential use of the property to continue into the future. Planning and zoning staff recommends approval of this request.

MOTION: Jaske moved, second by Batzko to approve Ordinance 169-O-002. Motion carried 7-0.

### **Ordinance 169-O-003: Amend The District Zoning Map Of The Town Of Merton Zoning Code By Rezoning Certain Lands Located In Part Of The NW ¼ And NE ¼ Of Section 35, T8N, R18E, Town Of Merton, Waukesha County, Wisconsin, From The R-2 Residential And C-1 Conservancy Districts To The B-2 Local Business District (ZT-1780)**

Fruth discussed this ordinance which authorizes a rezone of properties in the Town of Merton to the B-2 Local Business District to allow the continuation of commercial uses on both parcels. Planning and zoning staff recommends approval of this request.

MOTION: Jaske moved, second by Schellinger to approve Ordinance 169-O-003. Motion carried 7-0.

**Ordinance 169-O-004: Amend The Text Of The Town Of Brookfield Zoning Code By Repealing And Recreating Section 17.04(20)(a) Regarding The List Of Zoning Districts Where Planned Unit Developments Can Be Considered As Zoning Overlays (ZT-1748)**

Fruth discussed this ordinance which amends the Town of Brookfield Zoning Code by expanding the list of zoning districts where Planned Unit Developments (PUD) can be considered as zoning overlays, to include the Mixed Use District. Planning and zoning staff recommends approval of this request.

MOTION: Hammitt moved, second by Jaske to approve Ordinance 169-O-004. Motion carried 7-0.

**Ordinance 169-O-005: Amend The District Zoning Map Of The Town Of Brookfield Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 29, T7N, R20E, Town Of Brookfield, Waukesha County, Wisconsin, From The MU-1 Mixed-Use District To The MU-1 Mixed-Use District With A Planned Unit Development (PUD) Overlay District (ZT-1781)**

Fruth discussed this ordinance which authorizes a rezone of this property in the Town of Brookfield to the MU-1 Mixed-Use with a PUD Overlay District to allow a mixed use development with commercial, residential and park and open space uses. Planning and zoning staff recommends approval of this request.

MOTION: Hammitt moved, second by Grant to approve Ordinance 169-O-005. Motion carried 7-0.

**Ordinance 169-O-006: Amend The Text Of The Town Of Mukwonago Zoning Ordinance By Amending Section 82 Regarding Reasonable Accommodations For Persons With Disabilities And Amending Sections 82-22 And 82-32 And Creating Section 82-34 To Create A Special Exception Process For The Expansion Of Legal Nonconforming Buildings In Offset Areas (ZT-1776)**

Fruth discussed this ordinance which authorizes text amendments to the Town of Mukwonago Zoning Ordinance to establish reasonable accommodations for persons with disabilities and to create a special exception process for the expansion of legal nonconforming buildings in offset areas. Planning and zoning staff recommends approval of this request.

MOTION: Batzko moved, second by Jaske to approve Ordinance 169-O-006. Motion carried 7-0.

MOTION: Schellinger moved, second by Batzko to adjourn the meeting at 11:35 a.m. Motion carried 7-0.

Respectfully submitted,

Jennifer A. Grant  
Secretary